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SEP 1 9 2005

OFFICE OF PETITIONS

Bradley N. Ruben, PC 463 First Street, Suite 5A Hoboken, NJ 07030-1859

In re Application of:

KIRCANSKI, Zlatomir

Application No.: 10/037,691

Filing Date: November 09, 2001 Attorney's Docket No.: 0499.033

For:

HIGH TEMPERATURE RESISTANT

**MATERIAL** 

DECISION ON PETITION FOR REVIVAL OF ABANDONED

APPLICATION UNDER

37 CFR 1.137(b)

This is a decision on the petition under 37 CFR 1.137(b), filed June 14, 2005 to revive the above entitled application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a proper reply in a timely manner to the non-final Office action mailed December 06, 2004, which set a shortened statutory period for reply of one (1) month. A response was not filed and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, this application became abandoned on January 07, 2005.

The present petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a response to the Office action mailed December 06, 2004; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Office action of December 06, 2004 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Attorney Advisor, Anthony Smith at (571) 272-3298 or in his absence, the undersigned at (571) 272-3217.

The application is being referred back to GAU 1764 further processing.

rances Hecks for **Petitions Examiner** Office of Petitions